

**In the Claims:**

Please cancel claims 71 and 77 and amend the claims as follows:

69. (Currently Amended) An implantable container containing an isolated bone marrow stromal cell which comprises an a first expressible gene construct encoding a protein, and a second expressible gene construct encoding a cytotoxic protein, which cytotoxic protein induces selective cell death in the presence of a drug specific for said cytotoxic protein, wherein the container physically isolates the stromal cell from immune cells of an animal when the container is implanted in the animal, and wherein the container has pores for permitting diffusion between the interior and the exterior of the container.

70. (Currently amended) The container of claim 69, wherein the first gene construct encodes a secreted protein.

71. Canceled herein

72-76. Canceled previously

77. Canceled herein

78-96. Canceled previously

97. (Original) The container of claim 69, wherein the container is a microencapsulate stromal cell.

98. (Original) The container of claim 69, wherein the container is a biocompatible matrix having the stromal cells incorporated therein.

99. (Original) The container of claim 69, wherein the container comprises a membrane having pores which have a diameter not greater than about 0.3 micrometers.

100. (Original) The container of claim 99, wherein the container comprises a membrane having pores which have a diameter not greater than about 0.25 micrometers.

101. (Original) The container of claim 99, wherein the container comprises a membrane having pores which have a diameter not greater than about 0.1 micrometers.

102. (Currently amended) The container of claim 69, wherein the stromal cell comprises an a third expressible gene construct encoding a second protein.

103. (Currently amended) The container of claim 102, wherein the third expressible gene construct encodes second protein is an antibiotic resistance protein.

104. (Currently amended) The container of claim 102, wherein the first

expressible gene construct ~~encoding the protein~~ and the third expressible gene construct ~~encoding the second protein~~ are the same gene construct.

105. (Original) The container of claim 69, wherein the stromal cell is a human stromal cell.

106. (Original) The container of claim 69, wherein the stromal cell is obtained from bone marrow.

107. (Original) The container of claim 69, containing at least  $10^4$  of the stromal cells.

108. (Original) The container of claim 69, containing from  $10^4$  to  $10^{11}$  of the stromal cells.

109-111. Canceled previously

112. (Currently amended) A method of providing a protein to an animal, the method comprising implanting within the animal a container containing an isolated marrow stromal cell which comprises ~~an~~ a first expressible gene construct encoding a protein, and a second expressible gene construct encoding a cytotoxic protein, which cytotoxic protein induces selective cell death in the presence of a drug specific for said cytotoxic protein, wherein the container physically isolates the stromal cell from immune cells of the animal, and wherein the container has pores for permitting diffusion between the interior and the exterior of the container.

113. (Original) The method of claim 112, wherein the protein is a secreted protein.